

## **DETAILED ACTION**

### ***Current Status***

1. This action is responsive to Applicants' Remarks of 11 August 2009.
2. Receipt and entry of Applicants' Remarks is acknowledged.
3. Claims 1-10 and 14-20 are pending in the application.
4. The 103 rejection of claims 1-10 and 14-20 as being unpatentable over Hardy, Sr. et al., {US 4,034,023} in view of Giolito et al. {US 3,931,367} and further in view of Bright et al., {US 7,166,736} is withdrawn because the prior arts do not teach Applicants claims limitations.

**This application is a 371 of PCT/EP04/52615 10/21/2004.**

### ***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Leo Lenna on 12/11/2009.

The Application has been amended as follows:

In claim 5, line 1, delete "two-step".

In claim 6, line 1, delete "two-step".

In claim 7, line 1, delete "two-step".

In claim 8, line 1, delete "two-step".

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In claim 17, line 1, delete "two-step".

In claim 18, line 1, delete "two-step".

In claim 19, line 1, delete "two-step".

In claim 20, line 1, delete "two-step".

***Allowed Claims***

Claims 1-10 and 14-20 are allowable over the prior art of record.

***Reason For Allowance***

The following is an examiner's statement of reasons for allowance: A search of the prior art failed to uncover any reference that anticipates or renders obvious a process for producing alkylphenyl phosphates comprising the steps of reacting a dichloromonophenyl phosphate and monochlorodiphenyl phosphate with an aliphatic alcohol, in the presence of a Lewis acid catalyst, in the absence of solvent, at a temperature of above 60 to 200°C, and at a pressure of 0.001 to 1.1 bar absolute pressure, and sparging the reaction mixture with an inert carrier gas if the pressure is above 0.67 bar absolute pressure; wherein all the other variables are as defined in the claims

**Claims 1-10 and 14-20 are allowed.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chukwuma O. Nwaonicha whose telephone number is 571-272-2908. The examiner can normally be reached on Monday thru Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Sullivan can be reached on 571-272-0779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Chukwuma O. Nwaonicha/  
Examiner, Art Unit 1621

/Jafar Parsa/  
Primary Examiner, Art Unit 1621